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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,715	03/31/2004	Eric Y. Shan	200314929-1	8714

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EXAMINER	
HARPER, LEON JONATHAN	
ART UNIT	PAPER NUMBER
2166	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/814,715

Applicant(s)

SHAN ET AL.

Examiner

Leon J. Harper

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely-filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 8, 18 and 25 is/are rejected.
- 7) ☒ Claim(s) 2-7, 9-17, 19-24, 26-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. the amendment filed 1/12/07 has been entered. Claims 4,7,9-10, 12-13, 21, 24, 26-27, 29, and 30 have been amended. No claims have been added or canceled. Accordingly claims 1-30 are pending in this office action.

Allowable Subject Matter

Claims 2-7,9-17,19-24,26-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, assuming any section 112 issues stated above are corrected accordingly.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,8,18,25,are rejected under 35 U.S.C. 102(e) as being anticipated by US 6763350 (hereinafter AG).

As for claim 1 AG discloses: determining a number of rows in a vertical database table and a number of columns in a horizontal database table (See column 5 llines 10-25), wherein the vertical table includes at least three columns, with entries in a first column containing object identifiers (See column 4 lines 57-64), entries in a second column containing attribute names corresponding to the object identifiers (See column 4 lines 57-59), and entries in a third column containing attribute values corresponding to the attribute names (See column 4 lines 57-59), and the horizontal table includes a column for the object identifiers and attribute columns for the attributes names (See column 4 lines 60-64); selecting one of a plurality of methods for reading data from the vertical database table and writing data to the horizontal database table based in part on the number of rows in the vertical database table and the number of columns in the horizontal database table (See column 5 lines 10-15); and reading object identifiers and values of attributes from the vertical database table and writing the object identifiers and the values of attributes to the vertical database table using the selected one of the plurality of methods (See column 5 lines 10-30 and Tables 2,3).

As for claim 8, the rejection of claim 1 is incorporated, and further AG discloses: wherein access to the vertical database table and access to the horizontal database table are provided by a database management system (See column 1 lines 15-20), the

Art Unit: 2166

method further comprising: in response to selection of a first one of the plurality of methods, generating a single SQL command that selects data from the vertical table and inserts the data in the horizontal table for each object identifier in the vertical table and each column in the horizontal table (See column 4 lines 50-54); and issuing the SQL command to the database management system (See column 5 lines 15-22 note: the v2h command is made up of sql commands).

Claims 18 and 25 are program storage medium claims corresponding to the methods of claims 1 and 8 respectively, and are thus rejected for the same reasons as set forth in the rejection of claims 1 and 8.

Response to Arguments

Applicant's arguments filed 1/12/07 have been fully considered but they are not persuasive.

Applicant argues:

Neither the cited nor uncited portions appear to teach a selection of one of a plurality of methods based in part on the number of rows in the vertical database table and the number of columns in the horizontal database table.

Examiner responds:

Examiner is not persuaded. Reference is made to MPEP 2144.01 - Implicit Disclosure "[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re Preda, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968). In this case an artisan of ordinary skill in the pertinent would come to the conclusion that there is more there are a plurality of ways to convert a vertical database into a horizontal database and this is in fact based on the number of rows in the database. This disclosure is implicit for two reasons: (1) as the disclosure states sqlis designed for horizontal formats (See column 1 lines 64-66) and when horizontal databases become too large, there are many nulls that have to be

Art Unit: 2166

placed in the database (See column 1 lines 33-39), (2) The disclosure of the v2h function is the preferred embodiment of the present invention, and any artisan of ordinary skill in the pertinent art when looking at claims 3 and 4 (keeping in mind the concept of claim differentiation) would see that it is unequivocally clear that a plurality of functions to convert vertical databases to horizontal databases were disclosed. Claim 3 states that an operator receives a vertical table with attribute names as input and outputs the horizontal database. Claim 4 further defines said operator by stating that the operator is the v2h operator. If however, only the v2h operator was disclosed then these would be duplicate claims, for that reason claim 3 **must** cover more than just the single v2h operator (this is the concept of claim differentiation) and any artisan of ordinary skill in the pertinent art reading claims 3 and 4 would have realized that there are a plurality of functions to convert vertical databases to horizontal databases, and the v2h is just a preferred embodiment.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH
Leon J. Harper
March 30, 2007


Mohammad Ali,
Primary Examiner